

REMARKS/ARGUMENTS

Applicants would like to thank Examiner Martin for the helpful and courteous discussion she had with Applicants' U.S. representative on January 24, 2006. At that time Applicants' U.S. representative proposed amending Claim 1 such that the claimed lithium secondary battery has outermost electrodes that are both negative electrodes to differentiate over the cited reference (Sato, U.S. Publication No. 2002/0034685). Applicants U.S. Representative also proposed adding a new dependent claim where the claimed battery has a back coat layer which has the same composition as the negative electrode active material - containing layer. Applicants' U.S. representative noted that Sato describes a battery with a positive and negative outermost electrode, and therefore, a battery with negative outermost electrodes would not have been anticipated or obvious over Sato. The Examiner stated she would consider these claim amendments. The following expands upon the discussion.

Sato describes a lithium based battery which includes a cell structure group formed by stacking unit cells including positive and negative electrodes. The battery described in Sato has a positive and a negative electrode as the outermost electrodes (see Figures). In addition, the outer peripheral surface of the battery is covered with an extensible high polymer sheet. The high polymer sheet can be made of several types of elastomeric materials including polyurethane, polyolefin, polyester, styrene elastomer, vinyl chloride elastomers and fluorine based elastomers.

As the Examiner will note, Claim 1 has been amended such that the outermost electrodes are negative electrodes. Applicants note that having negative outermost electrodes with the back coat layer enhances safety and production efficiency (page 7, lines 10-13) which is a feature not envisioned by Sato. Because Sato does not teach or suggest this claim limitation, the claimed battery would not have been obvious over Sato. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection over Sato.

With regard to new Claim 10, Applicants note that Sato does not teach or suggest a back coat layer that has the same composition as the negative electrode active material-containing layer. Sato describes a peripheral surface covered only with only a polymer composition and not a negative electrode active material-containing layer. Accordingly, the claimed battery would not have been obvious over Sato, and therefore, Applicants submit that Claim 10 is allowable over Sato.

In light of the remarks contained herein, Applicants respectfully submit that the present application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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